

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

<b>APPLICATION ELEMENTS</b> <i>See MPEP chapter 600 concerning utility patent application contents.</i>		<b>Attorney Docket No.</b> 0335 <b>First Inventor</b> Morgan <b>Title</b> Bag Topper Device <b>Express Mail Label No.</b> EL 867136744 US																					
<b>ADDRESS TO:</b> Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450		<b>APPLICATION ELEMENTS</b> See MPEP chapter 600 concerning utility patent application contents.																					
1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <i>(Submit an original and a duplicate for fee processing)</i> 2. <input type="checkbox"/> Applicant claims small entity status. <i>See 37 CFR 1.27.</i> 3. <input checked="" type="checkbox"/> Specification [Total Pages 9] <i>(preferred arrangement set forth below)</i> <ul style="list-style-type: none"> <li>- Descriptive title of the invention</li> <li>- Cross Reference to Related Applications</li> <li>- Statement Regarding Fed sponsored R &amp; D</li> <li>- Reference to sequence listing, a table, or a computer program listing appendix</li> <li>- Background of the Invention</li> <li>- Brief Summary of the Invention</li> <li>- Brief Description of the Drawings (<i>if filed</i>)</li> <li>- Detailed Description</li> <li>- Claim(s)</li> <li>- Abstract of the Disclosure</li> </ul> 4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets 4] 5. Oath or Declaration [Total Sheets 2] <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> Newly executed (original or copy)</li> <li>b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d))  <i>(for continuation/divisional with Box 18 completed)</i> <ul style="list-style-type: none"> <li>i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b>  <i>Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</i></li> </ul> </li> </ul> 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76																							
7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) 8. Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i> <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> Computer Readable Form (CRF)</li> <li>b. Specification Sequence Listing on:               <ul style="list-style-type: none"> <li>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or</li> <li>ii. <input type="checkbox"/> Paper</li> </ul> </li> <li>c. <input type="checkbox"/> Statements verifying identity of above copies</li> </ul> <b>ACCOMPANYING APPLICATION PARTS</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">9.</td> <td style="width: 80%;">Assignment Papers (cover sheet &amp; document(s))</td> <td style="width: 10%;">10.</td> <td style="width: 80%;">37 CFR 3.73(b) Statement <input checked="" type="checkbox"/> Power of (when there is an assignee) <input checked="" type="checkbox"/> Attorney</td> </tr> <tr> <td>11.</td> <td>English Translation Document (<i>if applicable</i>)</td> <td>12.</td> <td>Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</td> </tr> <tr> <td>13.</td> <td>Preliminary Amendment</td> <td>14.</td> <td>Return Receipt Postcard (MPEP 503) (<i>Should be specifically itemized</i>)</td> </tr> <tr> <td>15.</td> <td>Certified Copy of Priority Document(s) (<i>if foreign priority is claimed</i>)</td> <td>16.</td> <td>Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.</td> </tr> <tr> <td>17.</td> <td>Other: .....</td> <td></td> <td></td> </tr> </table>				9.	Assignment Papers (cover sheet & document(s))	10.	37 CFR 3.73(b) Statement <input checked="" type="checkbox"/> Power of (when there is an assignee) <input checked="" type="checkbox"/> Attorney	11.	English Translation Document ( <i>if applicable</i> )	12.	Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations	13.	Preliminary Amendment	14.	Return Receipt Postcard (MPEP 503) ( <i>Should be specifically itemized</i> )	15.	Certified Copy of Priority Document(s) ( <i>if foreign priority is claimed</i> )	16.	Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.	17.	Other: .....		
9.	Assignment Papers (cover sheet & document(s))	10.	37 CFR 3.73(b) Statement <input checked="" type="checkbox"/> Power of (when there is an assignee) <input checked="" type="checkbox"/> Attorney																				
11.	English Translation Document ( <i>if applicable</i> )	12.	Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations																				
13.	Preliminary Amendment	14.	Return Receipt Postcard (MPEP 503) ( <i>Should be specifically itemized</i> )																				
15.	Certified Copy of Priority Document(s) ( <i>if foreign priority is claimed</i> )	16.	Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.																				
17.	Other: .....																						
18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76: <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP)      of prior application No.: .....																							
Prior application information: Examiner _____ Art Unit: _____ For CONTINUATION OF DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation <u>can only</u> be relied upon when a portion has been inadvertently omitted from the submitted application parts.																							
<b>19. CORRESPONDENCE ADDRESS</b>																							
<input checked="" type="checkbox"/> Customer Number: 26,612		OR <input type="checkbox"/> Correspondence address below																					
Name _____		State _____ Zip Code _____																					
Address _____		Telephone _____ Fax _____																					
City _____		_____																					
Country _____		_____																					
Name (Print/Type) Daniel B. Runk		Registration No. (Attorney/Agent) 44,311																					
Signature 		Date 9-11-03																					

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

09/11/03



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 790.00)

## Complete if Known

Application Number	
Filing Date	
First Named Inventor	Morgan
Examiner Name	
Art Unit	
Attorney Docket No.	0335

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None
 Deposit Account:

Deposit Account Number	
Deposit Account Name	

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee  
 to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	750
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)		(\$ 750)	

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	11	-20** =	[ ]	X	[ ]	=	Fee from below	Fee Paid
Independent Claims	2	-3** =	[ ]	X	[ ]	=		
Multiple Dependent								

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$ --)

\*\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code (\$)	Fee Description	Fee Paid
		1051 130	2051 65 Surcharge - late filing fee or oath	
		1052 50	2052 25 Surcharge - late provisional filing fee or cover sheet	
		1053 130	1053 130 Non-English specification	
		1812 2,520	1812 2,520 For filing a request for ex parte reexamination	
		1804 920*	1804 920* Requesting publication of SIR prior to Examiner action	
		1805 1,840*	1805 1,840* Requesting publication of SIR after Examiner action	
		1251 110	2251 55 Extension for reply within first month	
		1252 410	2252 205 Extension for reply within second month	
		1253 930	2253 465 Extension for reply within third month	
		1254 1,450	2254 725 Extension for reply within fourth month	
		1255 1,970	2255 985 Extension for reply within fifth month	
		1401 320	2401 160 Notice of Appeal	
		1402 320	2402 160 Filing a brief in support of an appeal	
		1403 280	2403 140 Request for oral hearing	
		1451 1,510	1451 1,510 Petition to institute a public use proceeding	
		1452 110	2452 55 Petition to revive - unavoidable	
		1453 1,300	2453 650 Petition to revive - unintentional	
		1501 1,300	2501 650 Utility issue fee (or reissue)	
		1502 470	2502 235 Design issue fee	
		1503 630	2503 315 Plant issue fee	
		1460 130	1460 130 Petitions to the Commissioner	
		1807 50	1807 50 Processing fee under 37 CFR 1.17(q)	
		1806 180	1806 180 Submission of Information Disclosure Stmt	
		8021 40	8021 40 Recording each patent assignment per property (times number of properties)	40
		1809 750	2809 375 Filing a submission after final rejection (37 CFR 1.129(a))	
		1810 750	2810 375 For each additional invention to be examined (37 CFR 1.129(b))	
		1801 750	2801 375 Request for Continued Examination (RCE)	
		1802 900	1802 900 Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 40)

SUBMITTED BY		(Complete if applicable)		
Name (Print/Type)	Daniel B. Runk	Registration No. (Attorney/Agent)	44,311	Telephone 513-579-6479
Signature		Date	9-11-03	

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



# KEATING, MUETHING & KLEKAMP, P.L.L.

ATTORNEYS AT LAW

1400 PROVIDENT TOWER • ONE EAST FOURTH STREET • CINCINNATI, OHIO 45202-3752

TEL. (513) 579-6400 • FAX (513) 579-6457 • [www.kmklaw.com](http://www.kmklaw.com)

**DANIEL B. RUNK**

DIRECT DIAL: (513) 579-6479  
FACSIMILE: (513) 579-6457  
E-MAIL: DANRUNK@KMKLAW.COM

September 11, 2003

**Via Express Mail**

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Re: Transmittal of Utility Patent Application (Atty. Docket No. 0335)

Dear Sir or Madam:

Enclosed for filing please find the patent application of:

Inventor: James Morgan  
Title: **BAG TOPPER DEVICE**  
Drawings: 4 sheets  
Papers Enclosed: Utility Patent Application Transmittal; Fee Transmittal Form; Credit Card Authorization Form; Specification and Abstract (9 pages); Declaration; Power of Attorney and 3.73(b) Statement; Information Disclosure Statement; Return Postcard; Express Mailing Certificate; Assignment and Recordation Forms  
Total Filing Fee: \$790.00

Please file this application and if you have any questions do not hesitate to contact me (513-579-6479). Thank you for your assistance with this matter.

Sincerely,

KEATING, MUETHING & KLEKAMP, P.L.L.

By:   
Daniel B. Runk

Enclosures

**Certificate of Express Mail**

"Express Mail" mailing label number: EL 867136744 US Date of Deposit: 9/11/03

I hereby certify that: the Utility Patent Application Transmittal; Fee Transmittal Form; Credit Card Authorization Form; Specification and Abstract (9 pages); Declaration, Power of Attorney and 3.73(b) Statement; Information Disclosure Sheet; Return Postcard; this Express Mail Certificate and Assignment and Recordation Forms are being deposited with the United States Postal Service "Express Mail Post Office Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Mail Stop Patent Application, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Trish Seidel  
Trish Seidel

1148043.1